

RECEIVED



Petition for Writ of Habeas Corpus
to the District Court of the United States

JUN - 8 2008 *new*
JUN - 6 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Anthony Benjamin: Phillips, Sui Juris
Petitioner,

v

08CV3278
JUDGE DOW
MAGISTRATE JUDGE KEYS

UNITED STATES OF AMERICA
Respondent,

U.S. Atty. General
Respondent,

TLMS

FILED

U.S. Attorney Lela Johnson
Respondent,

JULY 15, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

IN RE: ANTHONY PHILLIPS, CONVICTED

Hon. James B. Zagel
Respondent,

Court Case No. 05 CR 1004

U.S. Attorney Patrick Fitzgerald
Respondent,

Comes now, Anthony Benjamin: Phillips, living soul, Real Party in Interest who is neutral in the public, retaining and asserting all inherent rights, now being confined based on an order for detainment followed by conviction, but all are Void Judgments which are herein being challenged, making a special visitation by absolute ministerial right to the District Court of the United States pursuant to the Constitution of the United States for the united States of America, Arti, sec.9, Cl.2, 28 U.S.C., sec.1333, and 28 U.S.C., sec.2241, hereby file this Petition for Writ of Habeas Corpus. Please find attached hereto and incorporated herein an Affidavit of support. In support of this Petition by special appearance Petitioner state as follows:

I. DEMAND FOR AN ARTICLE THREE JUDICIAL OFFICER

The Petitioner herein demand that only the District Court of the United States and an Article III Judicial Officer hear this petition. An Article III Officer is

defined as follows:

- a) Judges of both the Supreme Court and inferior courts, holding office during good behavior.
- b) Judges of both the Supreme Court and inferior courts who receive compensation for their services which is not diminished during their continuance in office.

II. PURPOSE OF THE WRIT OF HABEAS CORPUS

The purpose for a Writ of Habeas Corpus is to provide a judicial remedy to the Petitioner, to inquire into the nature and cause of the Respondents' restraint of the Petitioner's liberty. The Petitioner has exhausted all the administrative procedures without effecting a remedy or disclosure. Disclosure by the Respondents of the nature and cause of their restraint of the Petitioner's liberty includes but is not limited to the disclosure of the Respondents' authority (such as Act of Congress) and proof of jurisdiction to restrain the liberty of the Petitioner.

"Every person restrained of his liberty under any pretense whatever, may prosecute a Writ of Habeas Corpus to inquire into the nature and cause of the restraint, and shall be delivered therefrom when found illegal."

III. TO WHOM THE WRIT OF HABEAS CORPUS IS TO BE DIRECTED

The Petitioner states that the issuance of a Writ of Habeas Corpus be directed to U.S. Attorney Patrick Fitzgerald and Assistant U.S. Attorney Lela Johnson, et al. The Respondents' present location is the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION at 219 South Dearborn Street, Chicago, IL 60604.

The Petitioner is petitioning the District Court of the United States pursuant to U.S. Const. Art.I, sec.9, Cl.2, commanding the Respondents' appearance in court at a particular time and place set by this court. The Petitioner as a proper party would like to be present on his own accord; to have Respondents explain and produce proof of their authority, jurisdiction, legality, and the nature and cause of their action in which Respondents are restraining Petitioner. Should it then be found that the Respondents have no legal authority or jurisdiction to restrain the Petitioner, this court is to immediately release and

discharge Petitioner from being confined by the Respondents.

IV. STATEMENT OF FACTS SHOWING PETITIONER HAS EXHAUSTED
ALL ADMINISTRATIVE REMEDIES

As shown by the following facts, the Petitioner has exhausted all administrative remedies available for the protection of the Petitioner's inherent rights regarding the Respondents' restraint of the Petitioner's liberties.

- 1) The Petitioner on or about February 26, 2008 did serve on the Respondent, U.S. Attorney Lela Johnson, an agent of the U.S. Attorney, et al., by Special Visitation "A Letter of Inquiry" (In the Nature of Bill of Particulars and In the Nature of Proof of Claims) to determine the authority, nature and cause of the Respondents' action.
- 2) The Petitioner on or about March 10, 2008 did serve on the Respondents' agent, U.S. Attorney Lela Johnson, a "Notice of Fault and Opportunity to Cure" for failure to respond to the "Letter of Inquiry" which was to determine the authority, nature and cause of the Respondents' action, the Petitioner retained copy of same.
- 3) The Petitioner on or about March 17, 2008 did serve on the Respondents' agent, U.S. Attorney Lela Johnson, an "Affidavit and Notice of Default", for failure to respond to the "Notice of Fault and Opportunity to Cure" and the "Letter of Inquiry".

The Respondents through their agent, U.S. Attorney Lela Johnson, by refusing to answer the Petitioner's request for Proof of Claims and Full Disclosure of authority and jurisdiction, stipulates the following:

- a) That the Respondents cannot disclose the nature and cause of their action and have not made full disclosure of the real party(ies) in interest, the venue and jurisdiction of their court, who the injured party(ies) are, the instrument that created and that show liability, and evidence of their authority to commence an action outside of their territory, such as an "Act of Congress".
- b) That the Respondents cannot disclose the criminal jurisdiction of their court, whether Admiralty or Common Law, the system of law the court is operating under and right of action.

- c) That the UNITED STATES OF AMERICA is a Corporation originally incorporated February 21, 1871 under the name District of Columbia, 16 Stat. 419 and came under the jurisdiction of England.
- d) That Respondents have no documentation, evidence, discovery as requested; such as proof of claims, proof of facts, proof of contract or anything that prove their claims as to having jurisdiction or authority to make a demand for payment or otherwise bind the Petitioner to the Corporate Fiction, UNITED STATES OF AMERICA.
- e) That the UNITED STATES OF AMERICA have no documentation that shows ownership of the land and property where the alleged offenses took place, nor have any proof been set forth of published filed Notice of Acceptance of jurisdiction from the State Governor and Illinois State Legislature over ceded land and property pursuant to Art.I, sec.8, Cl.17, codified at Title 40 U.S.C., sec.3111, 3112 and 3112(c). [See: Adams v. U.S. 319 U.S. 312 (1943)]
- f) That the UNITED STATES OF AMERICA IS A FICTITIOUS PLAINTIFF and further stipulate that the Petitioner is not a Corporate Transmitting Entity nor Artificial Person.
- g) That the Respondents do not have any written agreement, promise or contract bearing the bona-fide signature of the Petitioner, upon which Petitioner has any legal or equitable duty concerning the Respondents.
- h) That the Petitioner, Anthony Benjamin: Phillips and ANTHONY PHILLIPS named in the Respondents' court documents are not the same party.
- i) That the Respondents do not claim that the Petitioner is a juristic (legal) or statutory PERSON who is subjected to the laws/statutes of their territory.

V. HOW PETITIONER'S LIBERTY IS BEING VIOLATED BY RESPONDENTS' ACTION

- 1) Restraining the Petitioner violates his rights protected by amendment XIII of the Constitution of the United States for the united States of America from peonage and involuntary servitude by compelling the Petitioner to involuntarily participate in the Respondents' action filed in the UNITED STATES DISTRICT COURT under Case No. 05 CR 1004 by and through the Respondents' agent U.S. Attorney Lela Johnson, wherein the Respondents do not have lawful authority/jurisdiction.

2) The Respondents' refusal to disclose to the Petitioner the authority, nature and cause of their action as it applies and pertains to the Petitioner violates his rights protected by amendment VI, while confining Petitioner at the Metropolitan Correctional Center in Chicago, Illinois and depriving the Petitioner of his right to due process of law and equal protection of the law protected by amendments V and VI of the Constitution of the United States for the united States of America.

3) The Respondents threatening to further restrain the liberty of the Petitioner by imprisonment and loss of property without lawful due process and equal protection of the law protected by amendments V, VI and XIV.

VI. STATEMENT OF WHY THE RESPONDENTS RESTRAINT OF
THE PETITIONER IS ILLEGAL

1) Respondents have failed to disclose their authority, nature and cause of their action by not answering the Petitioner's Petition for Redress - "Letter of Inquiry" - Private Administrative Remedy.

2) Without disclosure of the nature and cause of the Respondents' action, disclosure of the Real Party in Interest, the venue of the Court, the instrument that created and shows liability, jurisdiction of their Court or Injured Party(ies); the Respondents stand in violation of the Petitioner's VI amendment right and F.R.C.P. 12(b)(6), failure to state a claim upon which relief can be granted.

3) The Respondents are conspiring to deprive Petitioner of the right to due process of law and equal protection of the law protected by amendments V and XIV of the Constitution of the United States for the united States of America and in violation of Public Law 1861, ch. 33, 12 Stat. 284 [codified in Title 42 U.S.C., sec. 1985]

4) The Respondents are knowledgeable that the Petitioner's rights to due process of law and equal protection of the law are being violated and having the power to prevent or correct the wrongful act, having neglected or refused to prevent or correct said wrongful act is in violation of Public Law 1871, ch. 22, sec.6 17 Stat. 15 [codified in Title 42 U.S.C., sec. 1986]

5) The Respondents cannot prove that they have a valid claim against the Petitioner and cannot establish lawful title over body/property of the Petitioner. The act of bad faith in compelling the Petitioner to participate without disclosure of what authority the Respondents act to hold the Petitioner is a violation of his right to due process of law.

VII. ARGUMENTS

The Court acquires jurisdiction over controversies. Until a controversy is properly brought before a court, the court wants jurisdiction to grant any relief sought by a party until a right and cause of action is properly brought before the court by a moving party.

The Petitioner has the inherent right to complete and total disclosure as to the authority, nature and cause of any action wherein the Petitioner is called upon to make a response. This right is protected by amendment VI of the Constitution of the United States for the united States of America. Without such complete disclosure of the nature and cause of the Respondents' action, it is impossible for the Petitioner to meaningfully respond to, traverse to, or defend against any accusation(s) made, or understand the charges or accusation(s) made by the Respondents.

The issues regarding the nature and cause of the Respondents' action includes: The Real Party(ies) in Interest, Court Venue, Injured Party(ies), proof of territorial, subject-matter, and personal jurisdiction, right/cause of action, and all issues arising under F.R.Cr.P. 12(b).

The Presiding Judicial Officer, by compelling the Petitioner to participate in the Respondents' action by moving the Action forward without requiring the Respondents to disclose the nature, cause and authority of the Respondents' action to the Petitioner by answering the Petitioner's "Letter of Inquiry", deprives the Petitioner of the due process and equal protection of the law rights protected by the Constitution and Laws of the united States of America as well as the State Republic of Illinois.

That without disclosure of the Authority, Nature and Cause of the Respondents'

Action, a prejudice is created against the Petitioner in that the Petitioner is denied remedies and defenses therein, and denied the specific information to initiate any of the pre remedies available to the Petitioner under the law, thus further violating the Petitioner's right to due process and equal protection of the law.

That the Petitioner filed with the Respondents a "A Letter of Inquiry" asking the Respondents to comply with Art.I, Sec.8, Cl.17, [codified at Title 40 U.S.C., Sec. 3112 and 3112(c)] and requested that they produce evidence to prove their territorial jurisdiction. The following evidence/proof was requested:

- 1) Documentation showing the legal title or deed to the land and property where the offense purportedly took place.
- 2) Documentation showing State cession or published filed notice of acceptance of jurisdiction from the State Governor and Illinois State Legislature over acquired land and property where offense purportedly happened.

The Respondents went silent and refused to respond and comply with their U.S. CODES and STATUTES, which constitute prima facie evidence by tacit procurement that no such authority or documentation exist.

"It is axiomatic that the prosecution must always prove territorial jurisdiction over a crime in order to sustain a conviction therefor."

[United States v. Benson, 495 F. 2d 481 (5th Cir. 1974)]

The Respondents are attempting to prosecute without jurisdiction, it was held that in the absence of proof that the State had ceded jurisdiction of a place to the united States, the State courts had jurisdiction. [See: Curry v. State, III Tex. Cr. 264] also [See: U.S. v. Pate, 393 F. 2d 44 (7th Cir. 1968)]

Where lands are acquired without such consent from the State, the position of the United States is simply that of an ordinary proprietor.

[See: Forth Leavenworth R. Co. v. ~~I~~owe, 114 U.S. 525, at 531]

UNITED STATES DISTRICT COURTS

- 1) "The United States District Courts are not courts of general jurisdiction. They have no jurisdiction except as prescribed by Congress pursuant to Article III of the constitution." [Graves v. Snead, 541 F. 2d 159 (6th Cir. 1976)]

The United States District Court creation and composition were accomplished by Acts of Congress on June 25, 1948, 62 Stat. 683, 895, 77 Stat. 331, currently codified at 28 U.S.C. Sec. 132; and jurisdiction thereof, demonstrated herein chapter 85 of Title 28 U.S.C. lists Civil, Admiralty, Maritime, Patent, Bankruptcy, etc., and not once mention or describe Criminal jurisdiction.

The United States District Courts in the continental United States may be authorized to use the Federal Rules of Civil Procedure (F.R.Civ.P.) in the adjudication of civil matters. (Criminal cases triable are petty offenses and misdemeanors under the civil code, 1972 amendment to the advisory committee notes, Rule 1, F.R.Cr.P.). The United States District Courts in the continental United States were never authorized by Congress or the Supreme Court to use the Federal Rules of Criminal Procedure (F.R.Cr.P.) to conduct Criminal Proceedings for violations of the Federal Penal Code when the alleged offense was committed within the exterior boundaries of a union state.

[See: 18 U.S.C. Sec. 3001 referring to F.R.Cr.P. Rule 54(a)]

2) Title 28 U.S.C. Sec. 1345 "United States as plaintiff" states:

"Except as otherwise provided by Act of Congress, the district courts shall have original jurisdiction of all civil actions, suits or proceedings commenced by the United States, or by any agency or officer thereof expressly authorized to sue by Act of Congress."

~~The Respondents are not the original~~

The Respondents were asked to set forth the Act of Congress which gives it authority to act as an officer or agency for the United States to sue and the Act of Congress which gives the United States authority to commence a criminal action within the exterior boundaries of a union state, the Respondents went silent and refused to respond and obey and comply with it's own Statutes/Codes.

3) The courts of appropriate jurisdiction for violations of Title 18 U.S.C. are designated at section 3231, specifically naming them as District Courts of the United States. (NOT UNITED STATES DISTRICT COURTS)

The District Courts of the United States shall have original jurisdiction, exclusive of the Courts of the states of all offenses against the laws of the United States, 18 U.S.C. Sec. 3231. The phrase "District Court of the United States" was held not to include the Courts of the territories and insular possessions. [See: F.R.Cr.P. Rule 54(c)]

The United States District Courts are Article I administrative Courts designed by Congress to function on behalf of the Executive branch of the government in those places subject to the jurisdiction of the United States. [See: Art.I, sec. 8, Cl.17 and 18 U.S.C., sec.5 and sec.7] defining jurisdiction of the United States. Congress has limited the application of its Acts, such as Title 18 and Title 21, the Federal Penal Code and Controlled Substance Act, respectfully, to the District of Columbia, Puerto Rico, territories and insular possessions.

4) There is a distinct and definite difference between a United States District Court and a District Court of the united States: "The words district court of the United States commonly describes Constitutional Courts created under Article III of the Constitution, not the Legislative Courts which have long been the Courts of the territories." [Int'l Longshoremen's/Warehousemen's Union v. Juneau Spruce Corp. 342 U.S. 237 at 241 (1952)]

The United States District Courts have only such jurisdiction as is conferred by an Act of Congress pursuant to Art.III, sec.2, and Title 28 U.S.C.A., sec.1344. also See: [Hubbard v. Ammerman, 465 F. 2d 1169 (5th Cir. 1972)]

CONCLUSION

The Respondents have not informed the Petitioner who the Real Party(ies) in Interest are, nor the Injured Party(ies); is it the United States, a Federal Corporation, pursuant to Title 28 U.S.C., sec.3002 (10)(15), originally incorporated February 1871 under the name District of Columbia, 16 Stat. 419 chapter 62 or is it the united States of America, the Republic, established under the Constitution in the year 1787? This prevents the Petitioner from knowing his accuser, a violation of amendment VI to the United States Constitution for the united States of America.

The Respondents have not proven on the record their jurisdiction or authority to commence this action, nunc pro tunc. Therefore, any permission to continue this action or the continued confinement of this Petitioner would be a gross usurpation of power and a denial and violation of due process of law.

In view of the Respondents' actions to restrain the Petitioner, and Petitioner's contention that Respondents lack jurisdiction and authority, nor have disclosed the nature and cause of their accusation(s), a Writ of Habeas Corpus will adjudicate the rights of the parties.

Affidavit of Support

I, a man given the name Anthony Benjamin: by my family Phillips, being competent in mind and body now come to state that I have my own knowledge of the matter herein and hereby declare under penalty of perjury under the laws of the united States of America the following to be true, correct, complete, and certain, not misleading and admissible as evidence.

- 1) Anthony Benjamin: Phillips, living soul, has not been served notice of any alleged charges or offense nor convicted of any crime.
- 2) Anthony Benjamin: Phillips has never knowingly, willingly, intentionally, or voluntarily consented to be stripped of his sovereign or de jure status.
- 3) Anthony Benjamin: Phillips is not a UNITED STATES CITIZEN, nor a RESIDENT OF THE UNITED STATES; confirmed by unrebutted Affidavit Denying Corporate Status and Affidavit of Truth. (Exh. A)
- 4) Anthony Benjamin: Phillips is not a STATE CITIZEN OF THE STATE OF ILLINOIS, nor a RESIDENT OF THE STATE OF ILLINOIS.
- 5) Anthony Benjamin: Phillips is a born National of the several united States of America, currently residing at cook County, a political subdivision of the Republic of Illinois.
- 6) Anthony Benjamin: Phillips is not one in the same as ANTHONY PHILLIPS, nor is he surety or an accommodation party for the entity ANTHONY PHILLIPS.
- 7) On December 03, 2007, Anthony Benjamin: Phillips was taken into custody and is now being confined at the Metropolitan Correctional Center, Chicago, IL.
- 8) Anthony Benjamin: Phillips on or about February 26, 2008 did serve on the Plaintiff(s) a "Letter of Inquiry"(in the nature of Bill of Particulars and in the nature of Proof of Claims) to determine the jurisdiction, nature and cause of the offense against Plaintiff(s).(Exh. B) Plaintiff(s) Response: NO ANSWER
- 9) The Plaintiff(s) refusal to answer Anthony Benjamin: Phillips' request for proof of claims or offense and proof of jurisdiction confirms by tacit admission that no such jurisdiction or offense against the UNITED STATES exist.

10) A trial that commenced on April 14, 2008, resulted in a conviction of the Transmitting Entity, ANTHONY PHILLIPS on or about April 16, 2008. Anthony Benjamin: Phillips, living soul, is being illegally confined as surety and/or accommodation party.

RELIEF REQUESTED

WHEREFORE, Petitioner prays that:

A) This Court immediately issue a Writ of Habeas Corpus directed to the Respondents, commanding the Respondents to appear with Petitioner, with the documented proof to establish their authority (such as "Act of Congress") to commence this Action and detain Petitioner. Demand that the Respondents disclose the nature and cause of Respondents' Action, meaning identify the Real Party(ies) in Interest and Injured Party(ies), prove territorial, subject-matter, and inpersonam jurisdiction in the record. Set forth the instrument that created and show liability as it pertains to Petitioner proving there is a true and real controversy to be filed before the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION under Case No. 05 CR 1004.

B) In the alternative, that this Court issue an order for the release and discharge of Petitioner from the restraint of the Respondents, and that this Court issue an order for the release and discharge of the Petitioner from the Respondents' charges, claims and accusation(s).

Respectfully Submitted this 19th day of May 2008, By Petitioner:

Anthony Benjamin: Phillips, Sui Juris
Anthony Benjamin: Phillips, [Without Prejudice(UCC 1-308)]

Respond To: Anthony Benjamin: Phillips, Sui Juris
Metropolitan Correctional Center
Register No. 18397 - 424
71 West Van Buren Street
Chicago, ILL (60605)

SUBSCRIBED TO AND SWORN before us this 19th day of May, 2008, the living witnesses, that Anthony Benjamin: Phillips personally appeared and known to us to be the man whose name is subscribed to the within instrument and acknowledged to be the same.

Joseph Chess
Witness

Joseph Chess

Joseph H. Henshaw
Witness

Joseph H. Henshaw

Gerald Callahan
Witness

Gerald Callahan

NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT
NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL

CERTIFICATE OF SERVICE

I, Anthony Benjamin: Phillips, non-attorney, hereby certify that I served this filing by delivering via pre-paid postage true and accurate copies of the attached to the following

U.S. Attorney Lela Johnson, et al.
219 S. Dearborn Street, 5th Fl
Chicago, IL 60604

Clerk of the District Court of the United States

Mailed To:

219 South Dearborn Street, 20th Floor
Chicago, IL 60604

U.S. Attorney General
Department of Justice
10th & Constitution, N.W.
Washington, DC [zip code exempt]

.... by placing same in the Legal Mail Officer's hand at: *May 19, 2008*

Metropolitan Correctional Center
71 West Van Buren Street
Chicago, Ill (60605)

Anthony Benjamin Phillips, Sui Juris
Certification [Without Prejudice (UCC 1-308)]

Reg. No. *18397-424*

EXHIBIT A



Doo#: 0823410037 Fee: \$26.50
 Eugene "Gene" Moore
 Cook County Recorder of Deeds
 Date: 08/22/2008 10:23 AM Pg: 1 of 2

AFFIDAVIT DENYING CORPORATE STATUS

This is to certify that I, Anthony B. Phillips, am a living soul, a Sovereign creature of God, a private human being, a superseding creditor and claimant over all artificial entities referred to as governments in America, and am NOT a man-made STATUTORY or JURISTIC PERSON or INDIVIDUAL subject to codified control or jurisdiction of any artificial or fictitious entity created by man. I subject myself only to my Creator and the Natural Law requiring that I do no harm to any human being or the property thereof, and to abide by all lawful contracts, with judgment only by a jury of my peers -- other sovereign human beings. I publicly proclaim the retention of all rights granted by God to His creations and refuse to be categorized otherwise by any government or its agents in any capacity. I have publicly noticed my assumption of control over the artificial entity titled as "ANTHONY B. PHILLIPS", created by governments for purposes of exercising commercial control and pledging as collateral for the debts of the UNITED STATES. I have publicly declared a common law Copyright on the name "ANTHONY B. PHILLIPS"©™ [and any and all derivatives thereof], establishing predetermined penalties for the unauthorized use thereof. Use of such idem sonans is applicable only to the artificial entity created without my knowledge or consent, and all values in the title of "ANTHONY B. PHILLIPS"©™ Copyright/Trade Name are now the property of this Affiant.

This Affiant is NOT a RESIDENT, CITIZEN or SUBJECT of any artificial entity created by man, but IS a Creation of God and a Citizen of His Realm, obligated only to His Law. This Affiant is a Illinois state National.

This Affidavit is Public Notice and Demand for the preservation of all natural, God-given rights, and is given by me as one competent to state the matters set forth with personal knowledge of the contents, and is presented as a TRUTH AFFIDAVIT, and all that is stated is true, correct, complete and not misleading. No third parties are allowed in this matter or in the activities of the undersigned throughout the remainder of his life.

This Affidavit is subscribed to and confirmed as fact on this 06th day of March, 2006, and supersedes any and all previous public declarations in conflict herewith.

Anthony B. Phillips
Anthony B. Phillips, Affiant
A Illinois state National

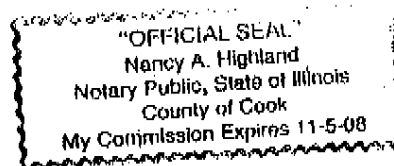
JURAT

State of Illinois)
) ss:
County of Cook)

This is to certify that Anthony B. Phillips, known to me, did appeared before me and affix his signature this 6 day of March, 2006, and subscribed his signature above in my presence.

Nancy A. Highland
Notary

SEAL:



DONE AT CUSTOMER'S REQUEST

FLORIDA SECURED TRANSACTION REGISTRY

STATE OF FLORIDA UNIFORM COMMERCIAL CODE
FINANCING STATEMENT FORM -

A. NAME & DAYTIME PHONE NUMBER OF CONTACT PERSON	
B. SEND ACKNOWLEDGEMENT TO: Name Anthony B. Phillips Address 2107 St. Mary Avenue Address City/State/Zip Pensacola, Florida (32505)	

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THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - INSERT ONLY ONE DEBTOR NAME (1a OR 1b) - Do Not Abbreviate or Combine Names

1a. ORGANIZATION'S NAME ANTHONY BENJAMIN PHILLIPS - ORGANIZATION/TRADE NAME/TRADE MARK				
1b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX	
1c. MAILING ADDRESS 2024 EAST 171st COURT	CITY SOUTH HOLLAND	STATE IL	POSTAL CODE 60473	COUNTRY US
1d. TAX ID# 320-60-1567	REQUIRED ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION DBA	1f. JURISDICTION OF ORGANIZATION US	1g. ORGANIZATIONAL ID# <input checked="" type="checkbox"/> NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - INSERT ONLY ONE DEBTOR NAME (2a OR 2b) - Do Not Abbreviate or Combine Names

2a. ORGANIZATION'S NAME				
2b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX	
2c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
2d. TAX ID#	REQUIRED ADD'L INFO RE ORGANIZATION DEBTOR	2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATIONAL ID# <input type="checkbox"/> NONE

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - INSERT ONLY ONE SECURED PARTY NAME (3a OR 3b)

3a. ORGANIZATION'S NAME				
3b. INDIVIDUAL'S LAST NAME Phillips	FIRST NAME Anthony	MIDDLE NAME Benjamin	SUFFIX	
3c. MAILING ADDRESS 2107 St. Mary Avenue	CITY Pensacola	STATE Florida	POSTAL CODE	COUNTRY USA

4. This FINANCING STATEMENT covers the following collateral:

This is actual and Constructive Notice that all of Debtor's interests, now owned or hereafter acquired, are hereby accepted as collateral for securing all contractual obligations in favor of the Secured Party, as a detailed and true, correct and complete notarized Security Agreement in the possession of the Secured Party. NOTICE: IN ACCORDANCE WITH TITLE 47, USC, Property - This is the entry of the Debtor in the Commercial Registry as a Transmitting Utility, and the following property is hereby registered in the same as public notice of a commercial transaction: Certificate of Birth, State of Mississippi, County of Bolivar; File No. 123 28827; Date of Birth: July 14, 1959; EIN 320601567; UCC Contract (Pending). All property is accepted for value and is exempt from levy. Adjustment of this filing is from Public Policy RJR 192, Public Law 73-10 and UCC 10-104. All proceeds, products, accounts, fixtures and all orders therefrom are released to Debtor. Secured Party accepts Debtor's signature in accord with UCC 1-201(39), 3-104.

5. ALTERNATE DESIGNATION (if applicable)

<input type="checkbox"/> LESSOR/LESSOR	<input type="checkbox"/> CONSIGNEE/CONSIGNOR	<input type="checkbox"/> BAILEY/BAILOR
<input type="checkbox"/> AG. LIEN	<input type="checkbox"/> NON-UCC FILING	<input type="checkbox"/> SELLER/BUYER

6. Florida DOCUMENTARY STAMP TAX - YOU ARE REQUIRED TO CHECK EXACTLY ONE BOX

<input type="checkbox"/>	All documentary stamps due and payable or to become due and payable pursuant to s. 201.22 F.S., have been paid.
<input checked="" type="checkbox"/>	Florida Documentary Stamp Tax is not required.

7. OPTIONAL FILER REFERENCE DATA

Secured Party:

Anthony B. Phillips

STANDARD FORM - FORM UCC-1 (REV.12/2001)

Filing Office Copy

Approved by the Secretary of State, State of Florida

RECEIVED

FEB 13 2008

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

STATE OF ILLINOIS

CASE NO. 05 CR 1004

SS:

COUNTY OF COOK

JUDGE: ZAGEL

Affidavit of Truth

I, a man given the name Anthony Benjamin by my family Phillips, being competent in mind and body now come to state that I have my own knowledge of the matter herein and hereby declare the following to be true, correct, complete, and certain, not misleading, admissible as evidence, and if stating I, Me, Myself shall so state:

Statement of Facts

- 1) I am a living soul, a Sovereign creature of GOD, a private human being, a superseding creditor and claimant over all artificial entities referred to as governments in America, and am not a man-made STATUTORY or JURISTIC PERSON or INDIVIDUAL subject to codified control or jurisdiction of any artificial or fictitious entity created by man. I publicly proclaim the retention of all rights granted by GOD to his creations and refuse to be categorized otherwise by any government or its agents in any capacity.
- 2) I, a living soul, a natural man, and not an Artificial Commercial Entity do hereby for and on the RECORD RESCIND ALL ACTIONS including Pleas, Signatures, Statements, Fingerprints and other such unconscionable contracts/agreements either written or oral entered into in CASE NO. 05 CR 1004. All are rescinded and disavowed as having been made without full knowledge and acceptance but were induced by duress, coercion or fraud for the purpose of submitting me the human being to the jurisdiction of the courts; as a Sovereign Mississippi National abiding in Illinois at no time residing on Federal Property or being a citizen of the UNITED STATES.

This Affidavit is made under Penalty of Perjury on this 12th day of February, 2008.

Anthony Benjamin Phillips
Anthony Benjamin Phillips, Sul Juris, (Without Prejudice UCC1-308)

Subscribed and Sworn to me this 12th day of February, 2008.

Darvisee Champs
NOTARY PUBLIC

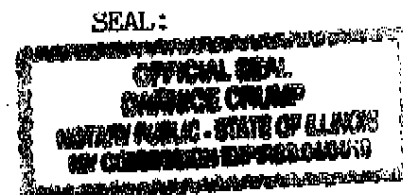


EXHIBIT B

RECEIVED

FEB 26 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

IN RE: ANTHONY PHILLIPS, ACCUSED

Petition By: Anthony Benjamin Phillips, Third Party Intervenor

Case No. 05 CR 1004

Judge Zagel

Respondents,

Michael W. Dobbins, District Clerk of Court
219 S. Dearborn
Chicago, Illinois 60604

U.S. Attorney Lela Johnson
United States Attorney's Office
219 S. Dearborn
Chicago, Illinois 60604

Attached you will find a copy of my UCC Financing Statement, Affidavit of Truth in the Nature of Supplemental Rules for Administrative and Maritime Claims C(6), Affidavit of Truth Statement of Facts and my Affidavit Denying Corporate Status are attached hereto and made a part hereof as Attachment

[Letter of Inquiry (In the Nature of Bill of Particulars and In the Nature
of Proof of Claims)]

Comes now Anthony Benjamin: Phillips, a living soul, natural man, (hereafter "Phillips") who is neutral in the public, making a special visitation and a special effort to be honorable in the matter, asking for the assistance of the respondent(s) in that "Phillips" do not understand the above referenced case proceedings nor the nature of the cause thereof, which is part of the due process in this matter pursuant to the Sixth Amendment of the Constitution for the United States of America, Title 42 U.S.C. § 1986, 1985, 1983 and 63 Am JUR 2d. 441.

Please respond to and or provide the information concerning the following:

- I Provide certified copies of the instrument(s) upon which you rely or obtain your Authority to participate in the United States of America's prosecution of the accused party, and involvement of the Living Soul, "Phillips".

- 1) Oath of Office pursuant to Title 5 U.S.C. Sect 3331 & Title 48 Ch 4 Subchap IV

Sect 874

- 2) Officer Affidavit pursuant to Title 5 U.S.C. Sect 3332

- 3) Employee Affidavit pursuant to Title 5 U.S.C. Sect 3333

- 4) Surety Bond pursuant to Title 5 U.S.C. Sect 2901 and D.C. Code 1-7040

- 5) Registration pursuant to Title 22 U.S.C. Sect 611 and 612

If your position opposes having to produce such documentations, please certify all facts and statements under Penalty of Perjury included in your response.

- II Document for the record, information proving in personam, subject-matter and territorial jurisdiction which authorized you to involve the Living Soul, Natural Man, "Phillips". See (Melo v. U.S. 505 F.2d. 1026) "Once jurisdiction is challenged; the court cannot proceed when it clearly appears that

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MICHAEL W. DOBBINS

CLERK, U.S. DISTRICT COURT

the court lacks jurisdiction, the court has no authority to reach merits, but rather should dismiss the action."

- III Confirm the Real Party in Interest (Plaintiff), as the Corporation, the United States of America cannot compel specific performance(s) upon the Corporate statutes or rules unless it, like any other corporation is the Holder- In- Duc- Course or Real Party in Interest of some contract or commercial agreement between it and the one whom demands for performance was made, and is willing to produce said document and place it into evidence before trying to enforce its demands called Statutes.

Clearfield Trust Co. v. U.S., 318U.S. 363-71, 63 S. CT. 573 (1943)

- IV In an effort to understand the nature and cause of the accusations (indictment) and the court's attempt to force a Living Soul, Natural Man to accept this offer to contract; please confirm and affirm which United States of America is named as the Plaintiff. Is it the United States of America, a Federal corporation, Pursuant to Title 28 U.S.C. sect 3002 (10) (15) § originally incorporated February 1871 under the name District of Columbia 16 stat. 419 chapter 62 or is it the united States of America, the Republic, established under the Constitution in the Year 1787?
- V Have Respondent(s) show Legal Title or Deed to the land and property where the offense purportedly took place, or show published filed notice of Acceptance of Jurisdiction over acquired lands and property where offense Purportedly took place Pursuant to Art 1, Sec 8, CL 17, and Title 40 U.S.C. § 3112 and 3112 ©

See: Adams v. U.S. 319 U.S. 312, 63 S. Ct. 1122, 87 L. Ed. 1421 (1943)

VI In an attempt to recognize the true defendant or accused in the indictment (Presentment for Payment); Please Confirm and Affirm if the presentment is attempting to involve the Commercial Corporate Entity, ANTHONY PHILLIPS Or attempting to involve the Living Soul, Natural Man, "Phillips"?

Pursuant to FRCP 7(C)(1) The 7th Circuit has found that an indictment must meet these rules.

- 1) Contain the elements of the offense charged
- 2) Fairly inform the defendant of the nature of the charge against him, and
- 3) Enable the defendant to plead the Judgment as a Bar to Later Prosecutions for the same offense

See: U.S. v. Moore, 446 f. 3d. 671, 76-77 (7th Cir 2006)

To confirm and affirm section 1) and 2): Please have prosecuting attorney in this matter, certify under Penalty of Perjury that the charges in this case are true and lawful charges filed against the petitioner, a Living Soul, Natural Man and not a Commercial Corporate Entity described as ANTHONY PHILLIPS.

VII Please provide "Phillips" the Living Soul, Natural Man with all Bonds that the Court, Clerk of the Court or any other agency may have in the name of Anthony Benjamin Phillips or the COMMERCIAL CORPORATE FICTION known as ANTHONY BENJAMIM PHILLIPS (and any derivative thereof); in which Anthony Benjamin Phillips, Living Soul is Secured Creditor but not Surety. The Bonds would include but not be limited to: Surety Bond, BID Bond, Performance Bond and Payment Bond. Please return said Bonds to "Phillips" or

Confirm under Penalty of Perjury for the public record that such Bonds do not exist.

VIII Please set forth the Published Declaration, Act of Congress that gives you the authority to initiate criminal proceedings against a sovereign man abiding within the exterior boundaries of a union state.

XI Please set forth the Specific Act of Congress which gives the United States of America jurisdiction to sue under Title 28 sec. 1345. This code only allows the United States, or any agency or officer that is expressly authorized by an Act of Congress to sue.

As I want to resolve this matter as soon as possible, it is of necessity that I can only do so, conditioned upon you providing the requested information and documentations.

You are hereby granted 10 days from February 26, 2008, plus three days for return mailing, to provide the above (indicated) information and documents requested.

NOTICE:

Any and all responses to this inquiry must be mailed to Secured Party at:

430 E. 162nd Street Suite 138
South Holland [60473] Illinois

NOTE:

"Silence can only be equated with Fraud where there is legal and moral duty to speak where an inquiry left unanswered would be intentionally misleading".
U.S. v. Tweel 550 F. 2d. 297-300 (1977)

Whereas, the Public Record is the highest evidence forum, as to any non-response and or failure to provide the requested information and documents will constitute Prima Facie evidence by Tacit Procuration that no such authority or documentation(s) exist and the above referenced case #05 CR 1004 is a fraud upon the court, Ergo Void ab initio, and the court should not involve "Phillips" the Living Soul, Natural Man, but release and dismiss him from all Court proceedings. Further you agree that any remaining Judgment/Monetary p Penalty may be accepted for value and returned for discharge, or by promissory Note or other appropriate commercial paper, etc. to allow the setoff/adjustment and exchange of credit (discharge) to allow the account to be adjusted to (zero) by and through the exercise of the remedy provide by Congress via HJR-192, to discharge debts "dollar for dollar" by the exemption of the undersigned.

Respectfully Submitted without prejudice by:

Betty Benjamin Phillips (UCC 1-308)